

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: Chair Elsie Arntzen, on March 12, 2015 at 3:00 PM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Elsie Arntzen, Chair (R)
Sen. Gordon Vance, Vice Chair (R)
Sen. Dick Barrett (D)
Sen. Dee Brown (R)
Sen. Edward Buttrey (R) (arrived after roll call)
Sen. Christine Kaufmann (D)
Sen. Sue Malek (D)
Sen. Scott Sales (R)
Sen. Janna Taylor (R)
Sen. Fred Thomas (R)
Sen. Lea Whitford (D) (arrived after roll call)

Members Excused: Sen. Diane Sands (D)

Members Absent: None

Staff Present: Charlene Devine, Committee Secretary
Leanne Kurtz, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 549, 3/9/2015

Executive Action: HB 415, Tabled; HB 97, Be Concurred In; HB 295, Motion Withdrawn;
HB 375, Be Concurred In As Amended; HB 387, Be Concurred In; HB 414, Be Concurred In
As Amended; HJ 10, Failed; SB 290, Do Pass As Amended

EXECUTIVE ACTION ON HB 415

00:00:59 **Motion:** Sen. Vance moved that **HB 415 BE CONCURRED IN.**

Discussion:

00:01:45 Leanne Kurtz, Legislative Services Division (LSD)
00:02:34 Sen. Whitford entered the hearing.
00:02:40 Chair Arntzen
00:05:33 Sen. Thomas
00:07:15 Chair Arntzen
00:08:15 Sen. Barrett
00:09:11 Sen. Thomas
00:10:38 Chair Arntzen
00:11:08 Sen. Barrett
00:11:21 Chair Arntzen

00:11:26 **Motion:** Sen. Vance moved that **HB 415 BE AMENDED.**
EXHIBIT(his51a01)

Discussion:

00:11:40 Ms. Kurtz, LSD
00:12:20 Chair Arntzen
00:12:54 Sen. Thomas
00:13:19 Ms. Kurtz
00:13:39 Sen. Taylor
00:13:45 Chair Arntzen
00:13:49 Sen. Sales
00:14:00 Ms. Kurtz

00:14:20 **Vote:** Motion carried 8-2 by voice vote with Sen. D. Brown and Sen. Sales
voting no. Sen. Buttrey and Sen. Sands were excused.

00:14:37 **Motion:** Sen. Kaufmann moved that **HB 415 BE AMENDED.**
EXHIBIT(his51a02)

Discussion:

00:15:43 Sen. Kaufmann
00:16:42 Sen. Buttrey entered the hearing.
00:17:01 Sen. Thomas
00:17:33 Sen. Kaufmann
00:17:50 Chair Arntzen

00:18:43 **Vote:** Motion carried 8-4 by roll call vote with Sen. Arntzen, Sen. Buttrey, Sen.
Thomas and Sen. Vance voting no. Sen. Sands voted by proxy.

00:19:39 **Motion:** Sen. Vance moved that **HB 415 BE CONCURRED IN AS AMENDED.**

00:19:48 **Substitute Motion/Vote:** Sen. Thomas made a substitute motion that **HB 415 BE TABLED**. Substitute Motion failed 6-6 by roll call vote with Sen. Arntzen, Sen. D. Brown, Sen. Sales, Sen. Taylor, Sen. Thomas and Sen. Vance voting aye. Sen. Sands voted by proxy.

00:22:00 **Motion/Vote:** Sen. Kaufmann moved that **HB 415 BE CONCURRED IN AS AMENDED**. Motion failed 5-7 by roll call vote with Sen. Di. Barrett, Sen. Kaufmann, Sen. Malek, Sen. Sands and Sen. Whitford voting aye. Sen. Sands voted by proxy.

00:22:42 **Motion/Vote:** Sen. Vance moved that **HB 415 BE TABLED AND THE VOTE REVERSED**. Motion carried 7-4 by voice vote with Sen. Di. Barrett, Sen. Kaufmann, Sen. Malek and Sen. Whitford voting no. Sen. Sands was excused.

EXECUTIVE ACTION ON HB 97

00:22:47 **Motion:** Sen. Vance moved that **HB 97 BE CONCURRED IN**.

Discussion:

00:22:56 Chair Arntzen
 00:23:20 Kevin Christensen, construction engineer, Department of Transportation
 00:24:36 Chair Arntzen
 00:24:46 Sen. Brown
 00:25:28 Sen. Thomas
 00:28:26 Sen. Malek
 00:29:07 Sen. Buttrey
 00:30:30 Sen. Sales

00:32:16 **Vote:** Motion carried 8-4 by roll call vote with Sen. D. Brown, Sen. Sales, Sen. Taylor and Sen. Vance voting no. Sen. Sands voted by proxy. Sen. Buttrey will carry the bill.

EXECUTIVE ACTION ON HB 295

00:33:10 **Motion:** Sen. Vance moved that **HB 295 BE CONCURRED IN**.

Discussion:

00:33:22 Chair Arntzen
 00:34:00 Leanne Kurtz, Legislative Services Division
 00:34:59 Sen. Vance
 00:35:01 Sen. Sales
 00:35:22 Chair Arntzen
 00:35:59 Sen. Brown
 00:36:01 Chair Arntzen
 00:36:02 Sen. Barrett
 00:36:56 Sen. Buttrey
 00:37:05 Chair Arntzen

00:37:30 Sen. Buttrey
 00:37:47 Sen. Brown
 00:38:10 Sen. Whitford
 00:38:59 Sen. Sales
 00:39:10 Chair Arntzen
 00:39:20 Without objection, Sen. Vance withdrew the BE CONCURRED IN motion.

EXECUTIVE ACTION ON HB 375

00:40:28 **Motion:** Sen. Vance moved that **HB 375 BE CONCURRED IN.**

Discussion:

00:40:38 Chair Arntzen

00:40:55 **Motion:** Sen. Vance moved that **HB 375 BE AMENDED.**
[EXHIBIT](#)(his51a03)

Discussion:

00:41:06 Leanne Kurtz, Legislative Services Division (LSD)
 00:41:15 Chair Arntzen
 00:41:20 Ms. Kurtz, LSD

00:41:33 **Vote:** Motion carried 11-0 by voice vote. Sen. Sands was excused.

00:41:39 **Motion:** Sen. Vance moved that **HB 375 BE CONCURRED IN AS AMENDED.**

Discussion:

00:41:50 Sen. Brown
 00:42:28 Sen. Buttrey
 00:42:57 Sen. Barrett
 00:43:04 Sen. Thomas

00:44:38 **Vote:** Motion carried 7-5 by roll call vote with Sen. Arntzen, Sen. D. Brown, Sen. Sales, Sen. Taylor and Sen. Vance voting no. Sen. Sands voted by proxy. Sen. Buttrey will carry the bill.

00:45:00 Chair Arntzen
 00:45:05 Sen. Thomas
 00:45:15 Chair Arntzen

EXECUTIVE ACTION ON HB 387

00:45:26 **Motion:** Sen. Vance moved that **HB 387 BE CONCURRED IN.**

Discussion:

00:46:08 Chair Arntzen

00:46:27 Leanne Kurtz, Legislative Services Division
00:46:49 Chair Arntzen
00:47:04 Sen. Barrett
00:47:28 Chair Arntzen

00:47:37 **Vote:** Motion carried 10-2 by voice vote with Sen. Sales and Sen. Vance voting no. Sen. Sands voted by proxy. Sen. Sands will carry the bill.

EXECUTIVE ACTION ON HB 414

00:47:59 **Motion:** Sen. Vance moved that **HB 414 BE CONCURRED IN.**

00:48:45 **Motion:** Sen. Vance moved that **HB 414 BE AMENDED.**
[EXHIBIT\(his51a04\)](#)

Discussion:

00:48:55 Leanne Kurtz, Legislative Services Division (LSD)
00:49:10 Sen. Kaufmann
00:49:23 Ms. Kurtz, LSD
00:49:30 Sen. Brown
00:49:49 Sen. Buttrey

00:50:16 **Vote:** Motion carried 11-0 by voice vote. Sen. Sands was excused.

00:50:22 **Motion/Vote:** Sen. Vance moved that **HB 414 BE CONCURRED IN AS AMENDED.** Motion carried 11-0 by voice vote. Sen. Sands was excused. Sen. Sales will carry the bill.

EXECUTIVE ACTION ON HJ 10

00:50:30 **Motion:** Sen. Vance moved that **HJ 10 BE CONCURRED IN.**

00:50:33 Chair Arntzen

00:51:18 **Vote:** Motion failed 5-7 by roll call vote with Sen. Di. Barrett, Sen. Kaufmann, Sen. Malek, Sen. Sands and Sen. Whitford voting aye. Sen. Sands voted by proxy. (Bill not reported out of committee)

EXECUTIVE ACTION ON SB 290

00:52:16 **Motion:** Sen. Vance moved that **SB 290 DO PASS.**

Discussion:

00:52:22 Leanne Kurtz, Legislative Services Division

00:52:30 **Motion:** Sen. Vance moved that **SB 290 DO PASS AS AMENDED.**
(amendment previously passed by committee, 2/17/2015)

Discussion:

00:52:40 Chair Arntzen
 00:52:46 Sen. Brown
 00:53:23 Sen. Barrett
 00:53:35 Sen. Malek

00:53:53 **Vote:** Motion carried 7-5 by roll call vote with Sen. Arntzen, Sen. Barrett, Sen. Malek, Sen. Sands and Sen. Whitford voting no. Sen. Sands voted by proxy.

HEARING ON HB 549

Opening Statement by Sponsor:

00:55:22 Rep. Margaret (Margie) MacDonald (D), HD 51, opened the hearing on HB 549, Add motorcycles to liability insurance laws.

Proponents' Testimony: None

Opponents' Testimony:

00:58:58 Rep. Kerry White (R), HD 64, self
 01:02:00 Pat Wood, self
 01:04:44 Royal B. Davis, self
 01:10:09 Mike Fellows, Montana Libertarian Party

Informational Testimony: None

Questions from Committee Members and Responses:

01:11:33 Sen. Brown
 01:13:53 Rep. MacDonald
 01:13:59 Chair Arntzen
 01:14:08 Rep. MacDonald
 01:14:14 Chair Arntzen
 01:14:22 Sen. Barrett
 01:14:59 Rep. MacDonald
 01:15:04 Chair Arntzen
 01:15:17 Sen. Taylor
 01:15:29 Rep. MacDonald
 01:15:58 Sen. Sales
 01:18:32 Rep. MacDonald
 01:18:52 Sen. Malek
 01:19:15 Rep. MacDonald
 01:19:28 Sen. Taylor
 01:20:09 Rep. MacDonald
 01:20:39 Sen. Vance
 01:21:33 Chair Arntzen
 01:22:04 Rep. MacDonald
 01:22:33 Sen. Whitford

01:23:02 Rep. MacDonald

Closing by Sponsor:

01:23:19 Rep. MacDonald

01:24:07 Chair Arntzen

01:25:29 Sen. Sales

01:25:45 Sen. Kaufmann

01:25:47 Chair Arntzen

ADJOURNMENT

Adjournment: 3:31 P.M.

Charlene Devine, Secretary

cd

Additional Documents:

EXHIBIT([his51aad.pdf](#))